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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/667,779

09/22/2000

Nicolas Brogne

Q60742

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7590

12/18/2003

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EXAMINER

DINH, KHANH Q

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 12/18/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/667,779

Applicant(s)

BROGNE ET AL.

Examiner

Khanh Dinh

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-12 are presented for examination.

***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Nielsen US pat. No.5,870,548.

As to claim 1, Nielsen discloses a method of manipulating a sent e-mail, addressed by a sender to at least one addressee comprising the steps of:

routing a modification message over a data network (Internet 205 fig.2) to a server (200 fig.2), on which at least the body of said sent e-mail is stored, said modification message being sent by said sender (201 fig.2) and dedicated to modify said e-mail body (altering previously sent messages, see abstract, col.6 lines 4-67 and col.7 line 1-19).

modifying said e-mail's body at said server according to said modification message, if mail's body has not been accessed by modification message if said e-mail's body has not been accessed by any of said addressees (see figs.4, 5, col.7 line 20 to col.8 line 59).

As to claim 2, Nielsen discloses manipulation of said email consists in deleting said e-mail body or modifying a part of said e-mail body (see col.6 lines 18-43), said sender being informed by said server if said manipulation has been executed or not (see col.8 line 29 to col.9 line 63 and col.10 line 21 to col.11 line 43).

As to claim 3, Nielsen discloses a server (200 fig.2) to be part of an e-mail system, said server being able to receive, from a data network (Internet 205 fig.2), an e-mail addressed by a sender (201 fig.2) to at least one addressee (209 fig.1), said server comprising:

means for storing at least the body of said received e-mail together with an access code (message ID)(see figs.2, 6A-6D, col.7 line 40 to col.8 line 59 and col.9 lines 22-67).

means for sending to each addressee a notification message of said e-mail, said notification message containing the access code for accessing said e-mail body (see fig.7A, col.10 lines 1-40) and means for handling a status storage indicating at least whether said e-mail body has been accessed by one of said addressees (see col.7 line 20 to col.8 line 59 and col.10 line 41 to col.11 line 30).

means for receiving a modification message, dedicated to modify said e-mail body and means for modifying said e-mail body according to said modification message, if said e-mail's body has not been accessed by any of said addressees (see col.11 line 13 to col.12 line 38).

As to claim 4, Nielsen discloses sending a message to the sender of said modification message to notify if the modification has been executed or not (see col.8 line 29 to col.9 line 63 and col.10 line 21 to col.11 line 43).

As to claim 5, Nielsen disclose sending a message to the sender of said e-mail containing said access code (message ID) associated to said e-mail (see figs.2, 6A-6D, col.7 line 40 to col.8 line 59 and col.9 lines 22-67).

As to claim 6, Nielsen discloses downloading said e-mail body to one of said addressee providing said access code and deleting said e-mail body at said server when each one of said addressees has accessed said e-mail body at said server) (see figs.2, 6A-6D, 7A, col.7 line 40 to col.8 line 59, col.9 lines 22-67 and col.10 line 21 to col.11 line 43).

As to claim 7, Nielsen discloses storing the header of sold e-mail additionally to said e-mail body and executing an authentication procedure, when a user tries to access said e-mail body by providing said access code (message ID) (see figs.2, 6A-6D, 7A, col.7 line 40 to col.8 line 59, col.9 lines 22-67 and col.10 line 21 to col.11 line 43).

As to claim 8, Nielsen discloses storing the header of said e-mail additionally to said e-mail body and receiving a modification message, dedicated to modify said e-mail header only or additionally to said e-mail body and modifying said e-mail header according to said modification message, if said e-mail has not been accessed by any of said addressees (see figs.2, 6A-6D, 7A, col.7 line 40 to col.8 line 59, col.9 lines 22-67 and col.10 line 21 to col.11 line 43).

As to claim 9, Nielsen discloses storing the header of said e-mail additionally to said e-mail body and sending to said addressees an e-mail containing said e-mail's header and said e-mail's body after a predefined time period and deleting at said server said e-mail's header and said e-mail's body (see figs. 7A-7C, 8A-8C, col.10 line 21 to col.11 line 43 and col.11 line 44 to col.12 line 64).

As to claim 10, Nielsen discloses storing the body of a received e-mail together with an access code and sending to each addressee of said e-mail a notification containing the access code for accessing sold e-mail body (see figs.8A-C, col.11 line 44 to col.12 line 64 and col.13 line 23 to col.14 line 64), handling a status storage indicating at least whether sold e-mail body has been accessed by one of said addressees (if the recipient has seen the message, see col.14 lines 45-64)

and if a modification message, dedicated to modify said e-mail body is received, modifying sold e-mail body according to sold modification message, if said e-mail body has not been accessed by any of said addressees (see col.14 line 45 to col.16 line 25).

As to claims 11 and 12, Nielsen discloses a computer program comprising computer program code means adapted to perform following steps:

composing a modification message, dedicated to modify an e-mail addressed to at least one addressee (209 fig.2) and sent to a predefined server (200 fig.2) (altering previously sent messages, see abstract, fig.2, col.6 lines 4-67 and col.7 line 1-19).

sending said modification message to said server and said program is run on a computer (see figs.4, 5, col.7 line 20 to col.8 line 59).

***Other prior art cited***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Cobb, US pat. No.6,199,102
- b. Nielsen, US pat. No.6,405,243.
- c. Powers, US pat. No.6,438,584.
- d. Powers, US pat. No.6,446,115.

***Conclusion***

6. Claims 1-12 are rejected.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam Hosain, can be reached on (703) 308-6662. The fax phone number for this group is (703) 872-9306.

*A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned (35 U. S. C. Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.



**HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER**

Khanh Dinh  
Patent Examiner  
Art Unit 215 5  
12/14/2003